

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE CITY OF BLAINE, *et al.*,

Plaintiffs,

v.

GOLDER ASSOCIATES, INC., *et al.*,

Defendants.

No. C03-0813L

ORDER CONTINUING TRIAL DATE
AND DENYING PLAINTIFF'S
MOTION FOR ADDITIONAL
DISCOVERY

This matter comes before the Court on "Plaintiffs' Motion to Set a Trial Date and Pretrial Deadlines, and for the Taking of Depositions" (Dkt. # 271) and "Defendants' Motion to Quash Subpoena Duces Tecum to Records Custodian of the Register of Professional Archaeologists" (Dkt. # 265). Having reviewed the memoranda, declarations, and exhibits submitted by the parties, the Court finds as follows:

(1) Because the Court's schedule for September 2005 cannot accommodate the trial of this matter, plaintiffs' request for a continuance of the trial date until February 2006 is GRANTED.

(2) Discovery in this matter was to have been completed by October 10, 2004. The Court's Minute Order of January 11, 2005, struck all of the remaining pretrial deadlines so that the parties would not have to produce a pretrial order or jury instructions before obtaining the

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1 Court's ruling on the then-pending summary judgment motions. The order was not intended to,
2 and did not, reopen discovery or otherwise alter the deadlines that had already passed (including
3 the dispositive motion deadline).

4 (3) Plaintiffs have not shown good cause to reopen discovery or to support their untimely
5 request for documents from the Register of Professional Archaeologists. The cause of plaintiffs'
6 alleged damages has been in dispute from the beginning of this litigation and plaintiffs have not
7 explained why they could not have taken the discovery described in their motion before October
8 10, 2004. To the extent plaintiffs believe that defendants have raised new issues since the close
9 of discovery, they may object to any supporting evidence proffered by defendants at trial that
10 was not adequately or timely disclosed as required by the Federal Rules of Civil Procedure.

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12 For all of the foregoing reasons, plaintiffs' motion to continue the trial date is
13 GRANTED, plaintiffs' request to take additional depositions is DENIED, and defendants'
14 motion to quash is GRANTED.

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16 DATED this 26th day of May, 2005.

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19 Robert S. Lasnik
20 United States District Judge